

THOMAS P. AGRESTI

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA
PITTSBURGH DIVISION

In re:	§	
ZWIERZYNSKI, ROBERT L.,	§	CASE NO. 10-27951 TPA
Debtor	§	
	§	
ROBERT SHEARER, TRUSTEE, Trustee,	§	CHAPTER 7
Movant	§	
	§	DOCUMENT NO.
V	§	
	§	
NO RESPONDENT.	§	

TRUSTEE'S FINAL REPORT (TFR)

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under chapter 7 of the United States Bankruptcy Code was filed on 11/08/2010 . The undersigned trustee was appointed on 12/18/2012 .
2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized gross receipts of \$ 59,764.09

Funds were disbursed in the following amounts:

Payments made under an interim disbursement	0.00
Administrative expenses	37,146.13
Bank service fees	0.00
Other payments to creditors	0.00
Non-estate funds paid to 3 rd Parties	0.00

¹ The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

Exemptions paid to the debtor	0.00
Other payments to the debtor	0.00
Leaving a balance on hand of ¹	\$ 22,617.96

The remaining funds are available for distribution.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing non-governmental claims in this case was 07/22/2015 and the deadline for filing governmental claims was 07/22/2015 . All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$ 6,238.20 . To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$ 0.00 as interim compensation and now requests a sum of \$ 3,650.00 , for a total compensation of \$ 3,650.00 ². In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$ 0.00 , and now requests reimbursement for expenses of \$ 116.38 , for total expenses of \$ 116.38 ².

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 12/09/2015 By: /s/ROBERT SHEARER, TRUSTEE
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

² If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D).

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INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT

ASSET CASES

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Exhibit A

Case No: 10-27951 TPA Judge: THOMAS P. AGRESTI
Case Name: ZWIERZYNSKI, ROBERT L.

Trustee Name: ROBERT SHEARER, TRUSTEE

Date Filed (f) or Converted (c): 11/08/10 (f)

341(a) Meeting Date: 12/20/10

Claims Bar Date: 07/22/15

For Period Ending: 12/09/15

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1. A & S CREDIT UNION CHECKING ACCOUNT A & S Credit Union Checking Account	500.00	0.00		0.00	FA
2. A & S CREDIT UNION SAVINGS ACCOUNT A & S Credit Union Savings Account	500.00	0.00		0.00	FA
3. COUCH, TV'S, TABLES, CHARIS, COMPUTER, APPLIANCES, Couch, TV's, Tables, Charis, Computer, Appliances, Beds, Dressers, Linens	2,000.00	0.00		0.00	FA
4. CLOTHING Clothing	100.00	0.00		0.00	FA
5. WEDDING RING, WATCH, MISC. JEWELRY Wedding Ring, Watch, Misc. Jewelry	500.00	0.00		0.00	FA
6. .22 RIFLE AND A 12 GAUGE MOSSBERG SHOTGUN .22 Rifle and a 12 Gauge Mossberg Shotgun	300.00	0.00		0.00	FA
7. 2 TERM LIFE INSURANCE POLICIES 2 Term Life Insurance Policies	0.00	0.00		0.00	FA
8. IRA IRA	242,806.02	0.00		0.00	FA
9. 1 SHARE OF PNC STOCK 1 Share of PNC Stock	56.00	0.00		0.00	FA
10. RSSI, LL (50%) RSSI, LL (50%)	0.00	0.00		0.00	FA
11. RSSI DRY TAVERN, LLC (50%) RSSI Dry Tavern, LLC (50%)	0.00	0.00		0.00	FA
12. RETAIL SOLUTIONS & SERVICES, INC. (50%) Retail Solutions & Services, Inc. (50%)	0.00	0.00		0.00	FA
13. RSSI HOMEWOOD, LLC (50%)	0.00	0.00		0.00	FA

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 INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT

ASSET CASES

Page: 2
 Exhibit A

Case No: 10-27951 TPA Judge: THOMAS P. AGRESTI
 Case Name: ZWIERZYNSKI, ROBERT L.

Trustee Name: ROBERT SHEARER, TRUSTEE
 Date Filed (f) or Converted (c): 11/08/10 (f)
 341(a) Meeting Date: 12/20/10
 Claims Bar Date: 07/22/15

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Formally Abandoned OA=554(a) Abandon	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
RSSI Homewood, LLC (50%)					
14. FORWARD DEVELOPMENT SERVICES, LLC (33 1/3%) Forward Development Services, LLC (33 1/3%)	0.00	0.00		0.00	FA
15. BOND Bond	500.00	0.00		0.00	FA
16. 2007 GMC TRUCK (JOINT WITH SON) 2007 GMC Truck (joint with son)	16,000.00	0.00		0.00	FA
17. 2007 PASSAT 2007 Passat	15,000.00	0.00		0.00	FA
18. 2003 JEEP 2003 Jeep	8,000.00	0.00		0.00	FA
19. 1999 PASSAT (JOINT WITH DAUGHTER) (u) 1999 Passat (joint with daughter) originally unscheduled. amended to schedule at docket number 19	1,250.00	0.00		0.00	FA
20. COMPUTER, LAPTOP, ALL-IN-ONE PRINTER COPIER FAX Computer, Laptop, all-in-one printer copier fax	150.00	0.00		0.00	FA
21. ROUSSOS LITIGATION (u) ALLEGHENY COURT OF COMMON PLEAS GD-05-12824 SETTLEMENT IN BANKRUPTCY COURT AT DOCKET NUMBER 85.	0.00	25,000.00		105,000.00	FA
22. 344 RITTER ROAD, SEWICKLEY, PA 15143	250,000.00	0.00		0.00	FA

TOTALS (Excluding Unknown Values)

\$537,662.02

\$25,000.00

\$105,000.00

Gross Value of Remaining Assets

\$0.00

(Total Dollar Amount in Column 6)

INDIVIDUAL ESTATE PROPERTY RECORD AND REPORT

ASSET CASES

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Exhibit A

Case No: 10-27951 TPA Judge: THOMAS P. AGRESTI
Case Name: ZWIERZYNSKI, ROBERT L.

Trustee Name: ROBERT SHEARER, TRUSTEE
Date Filed (f) or Converted (c): 11/08/10 (f)
341(a) Meeting Date: 12/20/10
Claims Bar Date: 07/22/15

Major activities affecting case closing which are not reflected above, and matters pending, date of hearing or sale, and other action:

Case reopened and trustee appointed. Motion to Close and Reserve filed.

July 2014--case re-opened. Status conference scheduled 7/28/14. Case was reopened on 3 July 2014 after it was discovered that doing so was necessary for a plan to be filed on the related Chatper 11 case of Joseph Scherer (11-21409-TPA). A 5-7 day trial is expected to occur in November 2014.

July 2015--Motion to Approve Settlement has been filed with hearing scheduled. I anticipate TFR being filed by 30 October 2015.

Initial Projected Date of Final Report (TFR): 10/01/13

Current Projected Date of Final Report (TFR): 10/30/15

/s/ ROBERT SHEARER, TRUSTEE

Date: 12/09/15

ROBERT SHEARER, TRUSTEE

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 10-27951 -TPA
Case Name: ZWIERZYNSKI, ROBERT L.

Trustee Name: ROBERT SHEARER, TRUSTEE
Bank Name: Union Bank
Account Number / CD #: *****7355 UBOC - Checking Account

Taxpayer ID No: *****8961
For Period Ending: 12/09/15

Blanket Bond (per case limit): \$ 9,774,790.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)
09/08/15	21	ROLF LOUIS PATBERG 801 VINIAL STREET THIRD FLOOR PITTSBURGH, PA 15212	BALANCE FORWARD SETTLEMENT FUNDS FORWARDED TO TRUSTEE AS PART OF BANKRUPTCY ESTATE Memo Amount: 105,000.00	1249-000	22,617.96		0.00 22,617.96
		ROLF PATBERG	SETTLEMENT Memo Amount: (37,146.13)	3210-000			
		JOSEPH W SCHERER	SPECIAL COUNSEL FEES Memo Amount: (22,617.96)	1249-000			
		RSSI, LLC	SETTLEMENT TO CO-CREDITOR Memo Amount: (22,617.95)	1249-000			
			SETTLEMENT TO CO-CREDITOR				

Memo Allocation Receipts:	105,000.00	COLUMN TOTALS	22,617.96	0.00	22,617.96
Memo Allocation Disbursements:	82,382.04	Less: Bank Transfers/CD's	0.00	0.00	
		Subtotal	22,617.96	0.00	
Memo Allocation Net:	22,617.96	Less: Payments to Debtors		0.00	
		Net	22,617.96	0.00	

Total Allocation Receipts: 105,000.00
Total Allocation Disbursements: 82,382.04

Total Memo Allocation Net: 22,617.96

TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCE
UBOC - Checking Account - *****7355	22,617.96	0.00	22,617.96
	-----	-----	-----
	22,617.96	0.00	22,617.96
	=====	=====	=====
(Excludes Account Transfers)	(Excludes Payments To Debtors)		Total Funds On Hand

Page Subtotals 22,617.96 0.00

ESTATE CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No: 10-27951 -TPA
Case Name: ZWIERZYNSKI, ROBERT L.

Trustee Name: ROBERT SHEARER, TRUSTEE
Bank Name: Union Bank
Account Number / CD #: *****7355 UBOC - Checking Account

Taxpayer ID No: *****8961
For Period Ending: 12/09/15

Blanket Bond (per case limit): \$ 9,774,790.00
Separate Bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Reference	Paid To / Received From	Description Of Transaction	Uniform Tran. Code	Deposits (\$)	Disbursements (\$)	Account / CD Balance (\$)

/s/ ROBERT SHEARER, TRUSTEE
Trustee's Signature: _____ Date: 12/09/15
ROBERT SHEARER, TRUSTEE

Page Subtotals 0.00 0.00

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EXHIBIT C
ANALYSIS OF CLAIMS REGISTER

Date: December 09, 2015

Case Number: 10-27951
Debtor Name: ZWIERZYNSKI, ROBERT L.

Claim Class Sequence

Code #	Creditor Name & Address	Claim Class	Notes	Scheduled	Claimed	Allowed
001 3410-00	ERIC BONONI 114 NORTH PENNSYLVANIA AVENUE GREENSBURG, PA 15601	Administrative		\$0.00	\$350.00	\$350.00
001 3110-00	ROBERT SHEARER 5703 BREWSTER LANE ERIE, PA 16505	Administrative		\$0.00	\$6,375.00	\$6,375.00
000001 070 7100-00	Urban Redevelopment Authority of Pittsburgh 200 Ross Street Pittsburgh, PA 15219	Unsecured	Seventh creditor listed on Schedule F. Proof of Claim provides necessary information.	\$0.00	\$390,107.66	\$390,107.66
000002 070 7100-00	Clear Mountain Bank c/o Michael R. Proctor, Esq. Dinsmore & Shohl LLP 215 Don Knotts Blvd., Suite 310 Morgantown, WV 26501	Unsecured	Trustee did not administer the asset securing this claim.	\$0.00	\$325,619.56	\$325,619.56
000003 070 7100-00	Clear Mountain Bank c/o Michael R. Proctor, Esq. Dinsmore & Shohl LLP 215 Don Knotts Blvd., Suite 310 Morgantown, WV 26501	Unsecured	Trustee did not administer the asset securing this claim.	\$0.00	\$72,647.89	\$72,647.89
000004 070 7100-00	Dollar Bank 3 Gateway Center Pittsburgh, PA 15222	Unsecured	Seventh creditor listed on Schedule F. Proof of Claim provides necessary information.	\$0.00	\$157,791.77	\$157,791.77
Case Totals:				\$0.00	\$952,891.88	\$952,891.88

Code #: Trustee's Claim Number, Priority Code, Claim Type

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 10-27951 TPA

Case Name: ZWIERZYNSKI, ROBERT L.

Trustee Name: ROBERT SHEARER, TRUSTEE

Balance on hand \$ 22,617.96

Claims of secured creditors will be paid as follows:

NONE

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee Fees: ROBERT SHEARER, TRUSTEE	\$ 3,650.00	\$ 0.00	\$ 3,650.00
Trustee Expenses: ROBERT SHEARER, TRUSTEE	\$ 116.38	\$ 0.00	\$ 116.38
Attorney for Trustee Fees: ROBERT SHEARER	\$ 6,375.00	\$ 0.00	\$ 6,375.00
Accountant for Trustee Fees: ERIC BONONI	\$ 350.00	\$ 0.00	\$ 350.00

Total to be paid for chapter 7 administrative expenses \$ 10,491.38

Remaining Balance \$ 12,126.58

Applications for prior chapter fees and administrative expenses have been filed as follows:

NONE

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$ 0.00 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

NONE

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 946,166.88 have been allowed and will be paid pro rata only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 1.3 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
000001	Urban Redevelopment	\$ 390,107.66	\$ 0.00	\$ 4,999.83
000002	Clear Mountain Bank	\$ 325,619.56	\$ 0.00	\$ 4,173.31
000003	Clear Mountain Bank	\$ 72,647.89	\$ 0.00	\$ 931.09
000004	Dollar Bank	\$ 157,791.77	\$ 0.00	\$ 2,022.35

Total to be paid to timely general unsecured creditors \$ 12,126.58

Remaining Balance \$ 0.00

Tardily filed claims of general (unsecured) creditors totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent.

Tardily filed general (unsecured) claims are as follows:

NONE

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

NONE